

REMARKS

This is a full and timely response to the non-final Office Action mailed on December 29, 2004 (Paper No./Mail Date 041214). Claims 1-8 are pending in the present Application. Reconsideration and allowance of the Application and present claims are respectfully requested. Applicants should not be presumed to agree with any statements made by the Examiner regarding the rejections and objections made in the Office Action unless otherwise specifically indicated by Applicants.

I. Priority

Applicants are not addressing the validity of all assertions made in the Office Action regarding the priority of this Application. Therefore, Applicants should be not presumed to agree with any statements made in the Office Action regarding the priority of the Application unless otherwise specifically indicated by Applicants.

II. Specification

Applicants have changed the title of the Application and respectfully request that the objection be withdrawn.

III. Claim Objection to Claim 1

Claim 1 stands objected to because the phrase “to select on of the video presentations” should be amended to read “to select one of the video presentations.” Applicants have made the change as suggested in the Office Action. Applicants respectfully request that the objection be withdrawn.

IV. Response to Claim Rejections Under 35 U.S.C. § 102

Claims 1-8 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,850,218 to *LaJoie, et al.* Applicants respectfully traverse this rejection.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983).

A. Claims 1 and 5

Claim 1, as amended, recites:

1. A method implemented by a television set-top terminal (“STT”) comprising the steps of:
 - providing a list of rentable video presentations by their respective titles;
 - receiving viewer input configured to select one of the titles from the list of rentable video presentations
 - associating the selected rentable video presentation with a reminder list responsive to receiving the viewer input; and
 - responsive to associating the selected rentable video presentation with the reminder list, ***providing reminder information to the viewer, the reminder information being configured to remind the viewer while the selected rentable video presentation remains rentable of the expiration time for rentability of the selected rentable video presentation via the STT.***

(Emphasis Added)

Claim 5, as amended, recites:

5. A television set-top terminal (STT) comprising:
 - memory configured to store program code; and
 - a processor programmed by the program code to enable the STT to:
 - associate a video presentation with a reminder list responsive to receiving viewer input; and
 - provide reminder information to the viewer, the reminder information being configured to remind the viewer while the selected rentable video presentation remains rentable of the expiration time for rentability of the selected rentable video presentation via the STT.***

(Emphasis Added)

The Office Action alleged that *LaJoie* apparently discloses the following:

“a user initially requests to rent the “The Bridge of Madison County” starting at 8:00 PM. At a later point in time, the user accesses a form of “reminder list” reminding the user as to previous purchases and changes their mind as to renting the particular movie. Upon returning to the “Now Showing” screen associated with the PPV channel, the user is “reminded” that if they would like to purchase “The Bridges of Madison County” again that they must do so prior to 15 minutes after the start of the movie.”

Applicants have amended claims 1 and 5 to overcome *LaJoie*, which claims 1 and 5 now recite “[providing or provide] reminder information to the viewer, the reminder information being configured to remind the viewer while the selected rentable video presentation remains rentable of the expiration time for rentability of the selected rentable video presentation via the STT.” Applicants respectfully submit that *LaJoie* fails to disclose and teach the above-quoted element. Accordingly, a prima facie case of anticipation cannot be established based on *LaJoie*. Applicants respectfully request that claims 1 and 5 be allowed and the rejection be withdrawn.

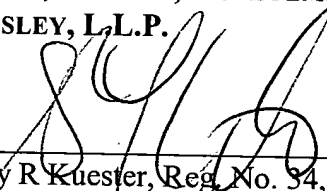
B. Claims 2-4 and 6-8

Because independent claims 1 and 5 are allowable over the cited art of record, dependent claims 2-4 and 6-8 are allowable as a matter of law for at least the reason that dependent claims 2-4 and 6-8 contain all features and elements of their respective independent base claims. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988). Accordingly, the rejection to dependent claims 2-4 and 6-8 should be withdrawn for at least this reason, among others.

CONCLUSION

Applicants respectfully maintain that the currently pending claims 1-8 are in condition for allowance. Should the Examiner have any comments or suggestions that would place the subject patent application in better condition for allowance, he is respectfully requested to telephone the undersigned attorney at (770) 933-9500.

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